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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION
Fifty-eighth session
6–23 March 2001

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION

Concluding observations of the Committee on the Elimination of Racial Discrimination

ICELAND

1. The Committee considered the fifteenth and sixteenth periodic reports of Iceland (CERD/C/338/Add.10 and CERD/C/384/Add.1) at its 1441st meeting (CERD/C/SR.1441), held on 7 March 2001. At its 1454th meeting (CERD/C/SR.1454), held on 16 March 2001, it adopted the following concluding observations.

A. Introduction

2. The Committee welcomes the reports submitted by the State party, commends the State party for its regular submission of periodic reports, and expresses its appreciation for the additional oral information provided by the delegation. The Committee notes the valuable information contained in the reports, which were prepared in accordance with the Committee's guidelines. The fifteenth and sixteenth reports are updating reports describing developments that took place after the period covered by the fourteenth report.

3. The Committee notes that, while providing information that the Committee had requested on the ethnic composition of the population and on naturalization laws, the fifteenth and sixteenth reports contained only limited information with respect to most of the concerns and recommendations contained in the Committee's concluding observations on the fourteenth periodic report (CERD/C/304/Add.27).

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B. Positive aspects

4. The Committee is encouraged by the commitment of the State party to the Convention. It notes with appreciation the State party's positive efforts with regard to the prevention of ethnic discrimination and to ensure equal rights and protection from discrimination for the growing immigrant and foreign-born population.

5. The Committee notes again that the 1995 amendment to the Constitution provided extensive additions to human rights provisions, bringing them more into conformity with international human rights norms. It welcomes the information provided in the sixteenth report and by the delegation about the extent to which courts refer to the human rights treaties to interpret the constitutional provisions.

6. The Committee commends the State party for publishing its reports and the concluding observations of the Committee on the Internet home page of the Ministry of Justice and for distributing them to the media, which facilitates and stimulates growing public interest in and debate of human rights issues.

7. The Committee welcomes the establishment of a new centre for immigrants in the Western Fjords which will start operating in March 2001, and the preparations for the transformation of the Information and Cultural Centre for Foreigners in Reykjavik into an International House with expanded programmes and activities, particularly to assist immigrants and other foreigners in the study of their own language.

8. The Committee welcomes the introduction of new curricula for nursery and primary schools, with increased attention to the role of schools in facilitating the integration of children from different cultural backgrounds without the loss of their ties to their own culture. It notes also the emphasis on the promotion of tolerance and the recognition of the need to provide students from different linguistic backgrounds with special education in Icelandic, to address educational and employment disparities.

9. The Committee notes the information provided in the sixteenth report on the complex provisions of the Icelandic Naturalization Act and other relevant legislation. It welcomes the 1998 amendment to address the unequal rights of men and women with regard to the naturalization of their children, and the elimination of the requirement to adopt an Icelandic patronym as a condition for naturalization.

10. The Committee expresses its appreciation for the acceptance by the State party of refugees for resettlement, and notes the success of its family support system in facilitating integration of refugees.

11. The Committee welcomes the Government's decision of July 2000 to ratify the Amendments to article 8, paragraph 6, of the Convention adopted at the Fourteenth Meeting of States Parties.

C. Concerns and recommendations

12. The Committee recommends that the State party investigate fully the possible existence of associations advocating racial discrimination and take appropriate action under section 233a of the General Penal Code and article 74 of the Constitution, as well as review its legislation if it proves insufficient to enforce fully the provisions of article 4 of the Convention. The Committee also recommends that the State party ensure that the provisions of the Convention are fully reflected in existing legislation and that it give further consideration to the possibility of giving the Convention legal force in the Icelandic legal system, as is the case for the European Convention on Human Rights.

13. The Committee notes that few incidents of racial discrimination are recorded by the police. The Committee recommends that the State party review carefully the allegations of racial insults and threats suffered by immigrants and that it consider additional ways to encourage the formulation of formal complaints in such cases, including publicizing the State party's declaration under article 14 of the Convention.

14. While acknowledging the more favourable treatment received under the naturalization laws in cases where the applicant is stateless, the Committee notes that Icelandic nationality is lost by persons who acquire another nationality by their own application, while dual citizenship is allowed for foreign nationals who acquire Icelandic citizenship. The Committee recommends that the State party consider the possibility of acceding to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, which prohibit deprivation of nationality on discriminatory grounds and stipulate that a State party should grant nationality to persons born on its territory who would otherwise be stateless.

15. The Committee notes that a new Bill on Aliens was submitted to Parliament in autumn 2000 and that its adoption is expected in the spring of 2001. The Committee would welcome further information on the handling of asylum requests and on the contents of the Bill on Aliens including on admissibility procedures at the borders, in the next periodic report.

16. The Committee recommends that the State party's reports continue to be made readily available to the public from the time they are submitted and that the Committee's observations on them be similarly publicized.

17. The Committee recommends that the State party submit its seventeenth periodic report jointly with the eighteenth periodic report, due on 4 January 2004, and that it address all the points raised in the present observations.